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December 27, 2024

VIA ECF

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
District of New Jersey
U.S. Post Office & Courthouse
2 Federal Square
Newark, NJ 07102

Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS
MDL No. 3080 | Bi-weekly status report

Dear Judge Martinotti:

Pursuant to CMO #5, the parties provide the following status update for the weeks ending December 13, 20, and 27:

All Tracks: Defendants have served their written responses and objections to Plaintiffs' First Set of Master Requests for Production of Documents and First Set of Master Interrogatories. Counsel for Defendants and all Plaintiff Tracks have been meeting and conferring regarding Defendants' discovery responses, including conferral regarding Defendants' relevant custodians, data sources, and search terms pursuant to the Stipulation and Order Governing ESI (CMO #11). Counsel have also been meeting and conferring with numerous third parties regarding third-party subpoenas.

SFP Track: Plaintiffs in the SFP Track have begun submitting Plaintiff Facts Sheets: approximately 20 plaintiffs have submitted PFS to date; approximately 30 plaintiffs to date have asked for extensions of their original deadlines, with new deadlines throughout January and February 2025.

Class Track: On December 16, 2024, the Class Track filed its First Amended Consolidated Class Action Complaint. *See* Case No. 23-20932, ECF 17. The parties are meeting and conferring as to the most efficient way to proceed.

State AG Track: In August and September, Defendants requested that a number of plaintiffs supplement their initial disclosures. In response, most did so. In connection with meet and confers conducted on October 29 and December 10, 2024, four state AG plaintiffs—Oklahoma, Montana, Utah, and Kentucky—agreed to supplement their disclosures. But none has done so yet. OK, KY, UT and MT have already told defendants that they will supplement their Fed. R. Civ. P. 26

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disclosures at or about the time they serve their PFS, which include overlapping information. The parties continue to hope that they can avoid motion practice on this issue.

For the Court's reference, the parties enclose currents lists of cases transferred to the MDL and motions pending before Your Honor.

Thank you for your continuing attention to this matter.

Respectfully submitted,

/s Matthew F. Gately
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Class Action Track*

/s Joanne Cicala
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Enclosures

cc: Honorable Rukhsanah L. Singh, U.S.M.J.
All counsel of record